

Townhall
April 4, 2019

The Mannington Township Committee meeting was called to order by Mayor Asay at 7:00 PM. The following were in attendance: Asay, Patrick, Emel, Horner, Mitchell, Carmer, Bowman, residents Patti Davis and Joe Casper.

Clerk certified that this meeting had been advertised in accordance with the Sunshine Law.

Motion was made by Patrick, seconded by Emel, approving the attached bill list for payment with the check to the Pennsville Animal Pound be adjusted to \$1,400 from \$2,100 to pay for February and March as January 2019 was paid out of the Dog Trust Fund. Roll call vote as follows:

Asay - yes
Patrick - yes
Emel - yes

Beginning with computer check number 15705, ending computer check number 15739. Beginning with payroll check number 5945, ending payroll check number 5981.

Community Healthcare Assoc.

4/4/19	ck#1024	\$ 2,838.79	Clarke Caton Hintz
4/4/19	ck#1025	\$ 16.00	DiFrancesco, Bateman Kunzman
4/4/19	ck#1026	\$ 1,062.00	William L. Horner, Esq.
4/4/19	ck#1027	\$ 3,120.50	McManimon, Scotland & Bauman

Open Space

4/4/19	ck#2010	\$ 2,500.00	Land Engineering, LLC
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Unemployment Trust

4/4/19	ck#1036	\$ 7,045.34	NJ Department of Labor
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Motion was made by Emel, seconded by Patrick, approving the minutes for meetings held on 3/7/19 & 3/18/19. Motion carried.

Motion was made by Patrick, seconded by Asay, approving the minutes for meeting held on 3/25/19. Motion carried with Emel abstaining.

ZONING REPORT:

Carmer gave a verbal and written Zoning Report for March 2019. Rancho Relaxo, Inc. is a corporately owned, not for profit business and rents the house at 59 Swedes Bridge Road to Caitlin Carmine. Carmer asked to move the Auburn Road Vineyards letter to the present time. Mayor Asay reviewed a letter/approved application sent by the NJABC approving the sale of bottled wine, produced by Auburn Vineyards, at Hens & Honey Shoppe on Acton Station Road. There were mistakes in the letter that are going to be corrected and will be copied to the Township. After receiving said letter, zoning questions came up. Carmer said the zoning is Agricultural and the shoppe is an accessory use in this zone as long as they limit the sales to 49% of non-produced on-the-farm items. Carmer said township requirements to be met according to the Right to Farm Act. They would need approval for parking, signage, building use and the Township's Zoning Ordinance requires a site plan review. Horner explained the process for an Ag Board review. Casey will explain the options to the owners.

PUBLIC COMMENT:

Public Comment period was opened by regular motion. Joe Casper of Swedes Bridge Road asked where the Township was at with the Verizon Fios. Asay explained his last conversation with Ms. Young of Verizon she had been told the entire of Mannington Twp. will be have access to Fios by October 2019. Fios will then be available to every resident. Motion was made by Patrick, seconded by Emel to close Public Comment. Motion carried.

Carmer left the meeting at 7:20 pm.

OLD BUSINESS:

Asay reported that the Township has not received the last money that was due for the Compromise Road project. Mulford of Fralinger Engineering reported that the test came back on the asphalt and it had more voids than allowed. As a result the DOT told the contractor they had to refund a portion of the cost to the municipality. The contractor filed an appeal with the DOT. This process has not been completed yet. If the appeal doesn't win, the contractor will refund the Township \$13,000. The fact there has been no close out yet on the road project as of yet is holding up the remaining grant money from the State.

Duffy and Holladay were accepted for farmland preservation in the 2018 cycle. Holladay ran into a problem where she needs to apply for a use variance and exclude one acre of her acres listed on her original PIG application. For the 2019 cycle, Moore is moving along and an appointment was made with Kelley to help fill their application out. Mahalik now seems interested.

NEW BUSINESS:

Motion was made by Patrick, seconded by Emel, adopting the following resolution Roll call vote as follows:

Asay - yes
Patrick - yes
Emel - yes

**TOWNSHIP OF MANNINGTON
RESOLUTION
EMERGENCY TEMPORARY RESOLUTION N.J.S.A. 40A:4-20**

WHEREAS, an emergency condition has arisen with respect to the need to provide budgetary funds for 2019, and

WHEREAS, the cause of the emergency is due to the fact that the Township is unable to adopt the 2019 Annual Budget, and

WHEREAS, it is considered necessary for the health and welfare of the community to continue to provide necessary services, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2019 pursuant to the provisions of Chapter 96 P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution totals \$371,847.00 for the Current Fund.

NOW, THEREFORE, BE IT RESOLVED, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A.40A:4-20:

1. Emergency temporary appropriations be made and the same is hereby made for the following in the indicated amount.

9-01- -101-201	Ad & Ex/Mun. Clerk OE	\$2,000.00
9-01- -104-201	Collection of Taxes OE	\$1,000.00
9-01- -114-201	Fire Hydrants OE	\$4,000.00
9-01- -140-204	Animal Pound Contract	\$2,800.00
	Total	\$9,800.00

2. That said emergency temporary appropriations will be provided in the 2019 budget as presented in proceeding.
3. That three certified copies of this resolution be filed with the Director of Local Government Services.

Motion was made by Emel, seconded by Patrick adopting the following resolution. Motion carried.

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment
Decisions Under Title VII of the Civil Rights Act of 1964"**

MANNINGTON TOWNSHIP
RESOLUTION

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain

to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the *Township Committee* of the *Township of Mannington*, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Motion was made by Patrick, seconded by Emel adopting the following resolution. Motion carried.

**A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANNINGTON**

**RE: RESOLUTION TO AVERAGE TAX COLLECTION RATE
FOR USE IN THE 2019 MUNICIPAL BUDGET**

WHEREAS, the Township of Mannington experienced a decline in the tax collection rate for the year 2017 and 2018; and

WHEREAS, the use of the lower collection rate in arriving at the budget appropriation Reserve for Uncollected Taxes in the 2019 Municipal Budget would result in an unfair tax burden to the taxpayers of the Township of Mannington; and

WHEREAS, the Division of Local Government Services, Department of Community Affairs will allow the Township of Mannington to use the average of the prior three years' collection rates in calculating the budget appropriation Reserve for Uncollected Taxes in the 2019 Municipal Budget; and

WHEREAS, the prior three years' collection rates are 95.69% for 2015, 95.16% for 2016 and 93.91% for 2017; and

WHEREAS, the averaging of the prior three years' collection rates result in a collection rate of 94.92%;

NOW, THEREFORE, BE IT RESOLVED that the Township of Mannington will use the collection rate of 94.92% in calculating the budget appropriation Reserve for Uncollected Taxes in the 2019 Municipal Budget.

The Mayor reviewed the 2019 Municipal Budget document. The budget showed no increase in the local tax rate from last year.

Motion was made by Patrick, seconded by Emel, adopting the 2019 Municipal Budget on introduction (copy attached). Roll call vote as follows:

Asay - yes
Patrick - yes
Emel - yes

A public hearing for the 2019 Municipal Budget is scheduled for May 2, 2019 at 7:00 pm.

Motion was made by Emel, seconded by Patrick, adopting the following resolution. Motion carried.

**MANNINGTON TOWNSHIP
RESOLUTION**

**CONTACT PERSON FOR THE EMPLOYMENT PRACTICES LIABILITY
ATTORNEY CONSULTATION SERVICE**

**GLOUCESTER, SALEM, CUMBERLAND COUNTIES
MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Governing Body of **Mannington Township** hereinafter referred to as "MUNICIPALITY", is a member of the Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund, hereinafter referred to as "FUND"; and

WHEREAS, the FUND has adopted a policy authorizing the Employment Practices Liability Attorney Consultation Service; and

WHEREAS, the FUND has budgeted an annual allowance for each member for EPL consulting services; and

WHEREAS, the FUND requires the MUNICIPALITY to designate specific managerial or supervisory individuals who will have telephone access to the EPL Hotline;

NOW THEREFORE, be it resolved that the governing body of **Mannington Township** does hereby appoint **Esther A. Mitchell** as its Contact Person.

BE IT FURTHER RESOLVED that the governing body does hereby appoint **Donald C. Asay** as additional Contact Person.

Motion was made by Emel, seconded by Patrick, adopting the following resolution. Roll call vote as follows:

Asay - yes, Patrick - yes, Emel - yes

**TOWNSHIP OF MANNINGTON, COUNTY OF SALEM
RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PROPERTY**

WHEREAS, Mannington Township is the owner of certain surplus property which is not needed for public use; and

WHEREAS, the Committee is desirous of selling said surplus property in an “as is” “where is” condition without express or implied warranties.

NOW THEREFORE, BE IT RESOLVED by the Township of Mannington, County of Salem, as follows:

(1) The sale of the surplus property shall be conducted through GovDeals pursuant to NJ State Contract #A83453/T#2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available from the Mannington Township’s Clerk’s Office.

(2) The sale will be conducted online and the address of the auction site is govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) The surplus property to be sold is as follows: 1950 Untitled Ford Pick-up Truck.

(5) The surplus property as identified shall be sold in an “as-is” “where is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) The Mannington Township Committee reserves the right to accept or reject any bid submitted.

The Committee briefly discussed Fenwick Park.

Mayor Asay shared information on Warner Real Estate Government Auction Marketing Program as a possibility for the upcoming sale of properties within the township.

CORRESPONDENCE:

Janet Sheridan requested permission to submit an application to the NJ Historic Preservation on behalf of the Township for the archeological dig in the Marshalltown Historic District, which she spoke of at a previous meeting. As the Township Block 28, Lot 40 and Block 32, Lot 7, (part of the area for the dig) they are required to submit the application or authorize someone to submit. The Committee will review the application after she completes it, discuss, and vote on authorization to submit

The annual informational packet was received from the Salem County Mosquito Control. The packet will be in the foyer for public viewing.

PUBLIC WORKS REPORT:

Patrick gave a verbal report. The department is continuing with tree trimming & pothole repair. Four structures were demolished and clean fill put into place. He reported on meeting with Quinton and

Alloway officials regarding some type of shared service. Each municipality was asked to make a list of their large equipment. Horner suggested to Patrick about checking with George Reese regarding insurance coverage.

Mayor Asay asked the Committee if lights on two poles located in areas where demolition took place should be disconnected. Motion was made by Patrick, seconded by Emel, to contact Atlantic City Electric to have the lights disconnected. Motion carried. Asay will get the pole numbers.

OTHER BUSINESS:

Mayor Asay mentioned that someone questioned him about a not-for-profit organization in the township being exempt from paying taxes on their home. Asay spoke with the Assessor and invited her to attend a meeting. Harris said maybe in May as there is a second request from the not-for-profit regarding another property, that she is going to deny.

Another item that came up with Asay, which required contact with Martin Allen, Tax Appeal Attorney, was the master deeds that came through with the sale of the hospital. There were five to six deeds, with one of them being an eighty-one page, poorly written deed for the Salem-Woodstown Condominiums.

Motion was made by Patrick, seconded by Emel, adopting the following resolution to enter into a closed session. Motion carried.

The meeting was opened to the public.

The following reports were filed:

Tax Collector reported receipts for March in the amount of \$93,684.87.

Mid-Salem County Court submitted a check in the amount of \$3,230.90 for fines received in March.

Registrar's receipts for March totaled \$2,805.00.

There were thirty-two (32) dog license's issued in March with receipts totaling \$597.00.

CFO reported receipts of \$103,073.37 for the month of March.

There being no further business to transact, the Mayor adjourned the meeting by regular motion at 8:30 PM.

Respectfully Submitted,

Esther A. Mitchell, Clerk

April 8, 2019
April 15, 2019

NO QUORUM
NO QUORUM